

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 21, 1999
SAN FRANCISCO, CALIFORNIA**

S076857 Clarissa Morales et al., Petitioners
2nd Dist. v.
B129323 Los Angeles County Superior Court, Respondent
Div. 7 Kaiser Foundation Hospital et al., Real Parties in Interest

Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Broughton v. Cigna Health Plans*, S072583 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S077109 People, Respondent
2nd Dist. v.
B118828 Leonora L. Deptowicz, Appellant
Div. 1 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Baltazar*, S074831 and *People v. Parker*, S074831 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S077146 Jim Estevanovich et al., Respondents

4th Dist. v.

E018016 City of Riverside et al., Respondents

Div. 2 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Warden v. State Bar*, S060702 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S077349 Teri Harral, Appellant

4th Dist. v.

D027649 Lawrence H. Foster, Jr. et al., Respondents

Div. 1 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Nogart v. Upjohn Co.*, S071633 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S077187 People, Respondent
6th Dist. v.
H017911 George R. Hester, Appellant
H018357 Respondent's petition for review GRANTED.

George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S077360 People, Respondent
2nd Dist. v.
B119961 Eldon Lee Tillman, Appellant
Div. 4 Petition for review GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Baltazar*, S074831, and *People v. Parker*, S074831 (see Cal. Rules of Court, rule 29.2(c)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.3, is deferred pending further order of the court.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

2nd Dist. John Kuykendall, Petitioner
B129003 v.
Div. 3 Workers' Compensation Appeals Board et al., Respondents
S077458 Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Three, with directions to vacate its summary denial and to issue a writ of review to be heard before that court when the proceeding is ordered on calendar.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

4th Dist. Public Defender, Petitioner
E024120 v.
Div. 2 San Bernardino County Superior Court, Respondent
S076308 People, Real Party in Interest
Petition for review GRANTED.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its summary denial and to issue an order directing respondent superior court to show cause why the relief sought in the petition should not be granted.

George, C.J.
Mosk, J.
Kennard, J.
Baxter, J.
Werdegar, J.
Chin, J.
Brown, J.

S058806 People, Respondent

2nd Dist. v.

B095833 Shawn Hicks, Appellant

Div. 4 Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Second Appellate District, Division Four.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S059576 People, Respondent

5th Dist. v.

F024218 Rodney J. Rusco, Appellant

Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Fifth Appellate District.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S060991 People, Respondent

2nd Dist. v.

B094443 Oscar Ecardo Buzo et al., Appellants

Div. 2 Pursuant to rule 29.4(c), California Rules of Court, the above-entitled review is DISMISSED and cause is remanded to the Court of Appeal, Second, Division Two.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

1st Dist. Local Union 595, International Brotherhood of

A077424 Electrical Workers et al., Petitioners

Div. 4 v.

S061492 San Francisco County Superior Court, Respondent

Lloyd W. Aubry, Jr., etc., Real Party in Interest

The motion of real party in interest to dismiss review, filed on March 26, 1999, and supported by petitioners in a statement filed on March 29, 1999, is granted. Each party shall bear its own costs in this proceeding.

George, C.J.

Mosk, J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

S072133 Daily Journal Corporation, Respondent

v.

Orange County Superior Court, Respondent

Merrill Lynch & Co., Inc. et al., Appellants

The request for judicial notice by real party in interest and appellants Merrill Lynch & Co. et al., filed December 21, 1998, is granted with regard to documents from the legislative history of Penal Code section 929 only, and is otherwise denied.

The request for judicial notice by Media Entity Respondents, filed November 16, 1998, is granted with regard to the "Notice of Motion and Motion for Good Faith Settlement Determination With the Merrill Lynch and GSE Defendants . . ." (*In re County of Orange*, U.S. Dist. Ct., Central Dist., Southern Div., Case Nos. SACV 96-0163 GLT et al.), and is otherwise denied.

S066991 People, Respondent

2nd Dist. v.

B105409 Juan J. Sanchez, Appellant

Div. 7

Appellant is directed to serve and file a Brief on the Merits on or before May 21, 1999. Additional briefings is to be served and filed in a timely fashion. (See rule 29.3(a), California Rules of Court.)

S069308 People, Respondent

2nd Dist. v.

B103468 Ramon Gonzalez, Appellant

Div. 4

Respondent is directed to serve and file a Brief on the Merits on or before May 21, 1999. Additional briefings is to be served and filed in a timely fashion. (See rule 29.3(a), California Rules of Court.)

S077805 In re Rodney Berryman

v.

Habeas Corpus

Petition for writ of habeas corpus is denied on the merits.

Separately and independently, each of the claims therein is denied as untimely under *In re Clark* (1993) 5 Cal.4th 750, and *In re Robbins* (1998) 18 Cal.4th 770; as pretermitted under *In re Dixon* (1953) 41 Cal.2d 756; and as successive under *In re Clark, supra*,

5 Cal.4th 750, and *In re Horowitz* (1949) 33 Cal.2d 534.

Mosk, J., and Brown, J., would deny the petition solely on the merits.

S077177 Bruce Senator, Petitioner
 v.
 Court of Appeal Fourth Appellate District Div. 3, Respondent
 Petition for writ of mandate DENIED.

S077179 Bruce Senator, Petitioner
 v.
 Court of Appeal Fourth Appellate District Div. 3, Respondent
 Petition for writ of mandate DENIED.

S077600 Henry L. Guerrero, Petitioner
 v.
 Fourth District Court of Appeal, Respondent
 Ricardo M. Gonzalez, Real Party in Interest
 Petition for writ of mandate DENIED.

S077550 June E. McKeon, Petitioner
 v.
 Department of Fair Employment and Housing, Respondent
 Mercy Healthcare Sacramento et al., Real Parties in Interest
 Petition for transfer DENIED.

1st Dist. Schram Construction Incorporated, Respondent
A076251 v.
Div. 5 HBE Corporation, Appellant
S077355 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A077134 v.
Div. 3 Reggie Perkins, Appellant
S077399 Petition for review DENIED.

1st Dist. Elizabeth Rosemary Campbell et al., Appellants
A078285 v.
Div. 2 Parker-Hannifin Corporation et al., Respondents
S076989 Appellants' petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

1st Dist. Glenco Squaw Associates, Appellant
A078624 v.
A078903 Randall J. Verrue et al., Respondents
A079124 Petition for review DENIED.
Div. 4 The request for an order directing publication of the opinion in
S077002 the above entitled cause is DENIED.

1st Dist. People, Respondent
A080576 v.
Div. 1 Serge Rigo, Appellant
S077031 Appellant's petition for review DENIED.
Mosk, J., Kennard, J., are of the opinion the petition should be granted.

1st Dist. Albert A. Chaknova et al., Appellants
A080747 v.
Div. 3 Wilbur-Ellis Company, Respondent
S077371 Appellants' petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.
The requests for an order directing depublication of the opinion are DENIED.

1st Dist. People, Respondent
A080895 v.
Div. 4 Rosendo Lopez, Appellant
S077362 Appellant's petition for review DENIED.

1st Dist. People, Respondent
A081795 v.
Div. 1 Andre L. Wiley, Appellant
S077503 Appellant's petition for review DENIED.

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| 1st Dist. A081881 Div. 5 S077290 | People, Respondent v. Jose Leon Mendoza, Appellant Appellant's petition for review DENIED. |
| 1st Dist. A082689 Div. 5 S077188 | Gina M. Kelley, Appellant v. Leroy Frank Dutra, Respondent Appellant's petition for review DENIED. |
| 1st Dist. A083088 Div. 5 S077424 | City of San Carlos et al., Petitioners v. Workers' Compensation Appeals Board et al., Respondents Petition for review DENIED. |
| 1st Dist. A085863 Div. 4 S077523 | Alan A. Cook, Petitioner v. Humboldt County Superior Court, Respondent People, Real Party in Interest Application for stay and petition for review DENIED. |
| 1st Dist. A085893 Div. 5 S077903 | Ford Motor Company, Petitioner v. Alameda County Superior Court, Respondent Robert Howard et al., Real Parties in Interest And Companion Case Petition for review DENIED. |
| 1st Dist. A085977 Div. 5 S077544 | Larry W. Morris, Petitioner v. Humboldt County Superior Court, Respondent Louisiana Pacific Corporation, Real Party in Interest Petition for review DENIED. |
| 1st Dist. A086285 Div. 1 S077739 | William Moalem, Petitioner v. San Mateo County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED. |

1st Dist. Vera Koval et al., Petitioners
A086289 v.
Div. 2 Alameda County Superior Court, Respondent
S077902 Kaiser Foundation Hospital, Inc. et al., Real Parties in Interest
Application for stay and petition for review DENIED.

2nd Dist. People, Respondent
B098822 v.
Div. 1 James Evans, Appellant
S060450 Respondent's petition for review DENIED.

2nd Dist. People, Respondent
B103607 v.
Div. 1 David Fitts, Appellant
S077043 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B107911 v.
Div. 2 David Wayne Askew, Appellant
S076862 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. Terry Drain, Appellant
B109188 v.
Div. 4 Betz Laboratories Inc. et al., Respondents
S077351 Appellant's petition for review DENIED.
The request for an order directing depublication of the opinion is DENIED.

2nd Dist. People, Respondent
B110809 v.
Div. 5 Phillip Molano Diaz, Appellant
S077045 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B111675 v.
Div. 2 Jonathan S. Williams, Appellant
S076731 Appellant's petition for review DENIED.

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| 2nd Dist. B111278 Div. 2 S077252 | People, Respondent v. Jonathan Covington, Appellant Appellant's petition for review DENIED. |
| 2nd Dist. B115436 Div. 3 S077335 | People, Respondent v. Anjum Nisar Qureshi, Appellant Appellant's petition for review DENIED. |
| 2nd Dist. B115632 Div. 3 S077325 | People, Respondent v. Willie David Adams, Appellant Appellant's petition for review DENIED. |
| 2nd Dist. B115945 Div. 2 S077171 | People, Respondent v. Raul S. Hernandez, Appellant Appellant's petition for review DENIED. |
| 2nd Dist. B116004 Div. 2 S077438 | People, Respondent v. Jose Rafael Vargas, Appellant Appellant's petition for review DENIED. |
| 2nd Dist. B116033 Div. 4 S077449 | Estate of Merritt D. Jergins, Deceased ----- Diane B. Jergins, Appellant v. Calvert Strong, Appellant Petition for review DENIED. |
| 2nd Dist. B116097 Div. 4 S077196 | People, Respondent v. Alejandro Cabrera et al., Appellants Appellants' petitions for review DENIED. |

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| 2nd Dist. B116393 Div. 7 S077062 | People, Respondent v. Ignacio Manuel Arellano, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted. |
| 2nd Dist. B116661 Div. 5 S077080 | In re Anthony S., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Anthony S., Appellant Petition for review DENIED. |
| 2nd Dist. B117079 Div. 5 S077111 | In re Jermaine B., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Jermaine B., Appellant Petition for review DENIED. |
| 2nd Dist. B117135 Div. 3 S077429 | People, Respondent v. Andre Deshawn Davis, Appellant Appellant's petition for review DENIED. |
| 2nd Dist. B117320 Div. 1 S077231 | People, Respondent v. Rush Spinks, Jr., Appellant Petitions for review DENIED. |
| 2nd Dist. B117627 Div. 4 S077352 | People, Respondent v. Rhondal Arnet Scott, Appellant Appellant's petition for review DENIED. |
| 2nd Dist. B117732 Div. 2 S077402 | People, Respondent v. Michael Wayne Jordan, Appellant Appellant's petition for review DENIED. |

2nd Dist. Yvonne Kibbee, Appellant
B118321 v.
Div. 7 Blue Ridge Insurance Company et al., Respondents
S076671 Respondents' petition for review DENIED.

2nd Dist. People, Respondent
B118748 v.
Div. 1 Ronny Hope, Appellant
S077266 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118857 v.
Div. 2 Noel Jose Rodriguez, Appellant
S077320 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B118892 v.
Div. 5 Le Cuong, Jr, Appellant
S077211 Petition for review DENIED.

2nd Dist. Hugo Ramirez, Appellant
B118938 v.
Div. 1 Miura Boiler West Incorporated, Respondent
S077345 Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent
B119106 v.
Div. 2 Francisco Garcia, Appellant
S077375 Petition for review DENIED.

2nd Dist. Sonia Dimas, Appellant
B119115 v.
Div. 2 Angel Suarez, Respondent
S077311 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B119339 v.
Div. 7 Rodney C. Jones, Appellant
S077433 Petitions for review DENIED.

2nd Dist. Alfred Bakshi, Appellant
B119387 v.
Div. 6 State Compensation Fund et al., Respondents
S077465 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B119465 v.
Div. 5 Luis A. Gomez, Appellant
S077459 Respondent's petition for review DENIED.

2nd Dist. In re John V., a Person Coming Under the Juvenile Court Law
B119655 -----
Div. 6 People, Respondent
S076820 v.
John V., Appellant
Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B119806 v.
Div. 6 Jaime J. Castaneda, Appellant
S077297 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B120147 v.
Div. 7 Reginald Cortez Cage, Appellant
S077373 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B120231 v.
Div. 1 Daniel Dent, Appellant
S077278 Petitions for review DENIED.

2nd Dist. People, Respondent
B120249 v.
Div. 2 Alfred Sablan, Appellant
S077256 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B120383 v.
Div. 3 Jose Manuel Rocha, Appellant
S077288 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B120534 v.
Div. 1 Elton Anthony Forma, Appellant
S077076 Appellant's petition for review DENIED.

2nd Dist. Janeese Bland, Appellant
B121097 v.
Div. 5 Beverly Hills Unified School District et al., Respondents
S077487 Appellant's petition for review DENIED.

2nd Dist. Robert Zeigler, Appellant
B121799 v.
Div. 5 Murray Tanzer et al., Respondents
S077339 Petition for review DENIED.

2nd Dist. People, Respondent
B122087 v.
Div. 5 Isiah Lucas, Appellant
S077268 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B122449 v.
Div. 6 Isaias P. Hernandez, Appellant
S077302 Appellant's petition for review DENIED.

2nd Dist. People, Respondent
B122669 v.
Div. 4 Kevin Lee Lewis, Appellant
S077411 Petition for review DENIED.

2nd Dist. People, Respondent
B123051 v.
Div. 5 Angelo Ornell Mack, Appellant
S077420 Appellant's petition for review DENIED.

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| 2nd Dist. B124309 Div. 1 S077042 | People, Appellant v. Richard Allen Frausto, Respondent Respondent's petition for review DENIED. |
| 2nd Dist. B124635 Div. 7 S077245 | In re Jordan S., a Person Coming Under the Juvenile Court Law ----- Los Angeles County Dept. of Children & Family Svcs., Respondent v. James S. S., Appellant Petition for review DENIED. |
| 2nd Dist. B124912 Div. 2 S077606 | In re Jose Rafael Vargas on Habeas Corpus Petition for review DENIED. |
| 2nd Dist. B125237 Div. 4 S076947 | R. J. Land and Associates Construction Company, Appellant v. Kiewit-Shea, Respondent Respondent's petition for review DENIED. |
| 2nd Dist. B125263 Div. 7 S077114 | People, Petitioner v. Los Angeles County Superior Court, Respondent Lloyd Hebert Jr., Real Party in Interest Application for stay and petition for review DENIED. |
| 2nd Dist. B127612 Div. 6 S076602 | City of Thousand Oaks et al., Petitioners v. Workers' Compensation Appeals Board, Respondent James Wood, Respondent Petition for review DENIED. |
| 2nd Dist. B128862 Div. 7 S076904 | American Motorists Insurance Company, Petitioner v. Los Angeles County Superior Court, Respondent Montrose Chemical Corporation of California, Real Party in Interest Petition for review DENIED. |

2nd Dist. Erwin Lane Brown, Petitioner
B129080 v.
Div. 7 Los Angeles County Superior Court, Respondent
S077383 People, Real Party in Interest
Petition for review DENIED.

2nd Dist. In re Jesus Gomez
B129338 on
Div. 5 Habeas Corpus
S077356 Petition for review DENIED. (*In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Miller* (1941) 17 Cal.2d 734, 735.)

3rd Dist. People, Respondent
C024133 v.
S077215 Timothy Scott Ledford, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C026080 v.
S076780 Cerrone Dorece Hicks, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C027016 v.
S077425 Roger Lee Horn, Appellant
Appellant's petition for review DENIED.

3rd Dist. Smith & Gabbert Incorporated, Respondent
C027130 v.
S077271 El Dorado Irrigation District, Appellant
Smith & Gabbert Investment Enterprise, Respondent
Appellant's petition for review DENIED.

3rd Dist. In re Joshua H., a Person Coming Under the Juvenile Court Law
C027474 -----
S077361 People, Respondent
v.
H. Joshua, Appellant
Petition for review DENIED.

3rd Dist. People, Respondent
C027536 v.
S076595 Truc Ngoc Ho, Appellant
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

3rd Dist. People, Respondent
C027790 v.
S077447 Jeffrey Otis Colter, Appellant
Appellant's petition for review DENIED.

3rd Dist. Ramzi Sadek et al., Appellants
C028146 v.
S077133 Brenda Newton, Respondent
Appellants' petition for review DENIED.

3rd Dist. People, Respondent
C028344 v.
S077466 Stephen Bruce Connell, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028408 v.
S077213 Roy Anthony Matagora, Appellant
Appellant's petition for review DENIED.

3rd Dist. People, Respondent
C028459 v.
S077095 Michael Jerome Ivory, Appellant
Appellant's petition for review DENIED.

3rd Dist. Jon V. Ellis, Appellant
C028858 v.
S077285 Jeffrey M. Voorhees et al., Respondents
Appellant's petition for review DENIED.

3rd Dist. Rick Sillman, Petitioner
C031841 v.
S077418 Trinity County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Philip Kay et al., Petitioners
C031920 v.
S077477 Placer County Superior Court, Respondent
Asher Abravanel, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C031964 v.
S077237 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

3rd Dist. Albert Caraig, Petitioner
C031965 v.
S077238 San Joaquin County Superior Court, Respondent
People, Real Party in Interest
Petition for review DENIED.

4th Dist. Ruth Solano, Appellant
D028395 v.
Div. 1 Reynaldo Abrenica, Respondent
S077391 Respondent's petition for review DENIED.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed February 3, 1999, which appears at 69 Cal.App.4th 997. (Cal.
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

4th Dist. People, Respondent
D029718 v.
Div. 1 Hector Manuel Contreras, Appellant
S077370 Appellant's petition for review DENIED.

4th Dist. People, Appellant
D030186 v.
Div. 1 Richard Bombin, Respondent
S077036 Respondent's petition for review DENIED.
Mosk, J., and Werdegarr, J., are of the opinion the petition should be granted.

4th Dist. People, Respondent
D030322 v.
Div. 1 Marcus Andre Greer, Appellant
S077365 Appellant's petition for review DENIED.

4th Dist. People, Respondent
D030644 v.
Div. 1 Felipe Parra, Appellant
S077401 Appellant's petition for review DENIED.

4th Dist. Raymond Safdie, Appellant
D031815 v.
Div. 1 Daniel Stragier, Respondent
S077548 Appellant's petition for review DENIED.

4th Dist. The Vons Companies Incorporated et al., Petitioners
D032863 v.
Div. 1 San Diego County Superior Court, Respondent
S077083 Sheri McCampbell et al., Real Parties in Interest
Petition for review DENIED.

4th Dist. People, Appellant
E019635 v.
Div. 2 Manta Management Corporation, Respondent
S062091 Petition for review DENIED.
The request for an order directing publication of the opinion is DENIED.
Mosk, J., and Brown, J., are of the opinion the petition should be granted.

4th Dist. People, Respondent
E020145 v.
Div. 2 Jewell D. Williams, Appellant
S077452 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E020831 v.
Div. 2 Michael Greg Benn, Appellant
S077020 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E020967 v.
Div. 2 Joseph Anthony Gallegos, Appellant
S077310 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021007 v.
E021250 Adam E. Sanchez et al., Appellants
Div. 2 Appellants' petitions for review DENIED.
S077324

4th Dist. People, Respondent
E021264 v.
Div. 2 Orlando Cepeda Lincoln, Appellant
S077261 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021471 v.
Div. 2 Robert Chavez, Appellant
S077175 Appellant's petition for review DENIED.

4th Dist. People, Respondent
E021516 v.
Div. 2 Arnold Lee Miles, Appellant
S077403 Appellant's petition for review DENIED.

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| 4th Dist. E022618 Div. 2 S076650 | In re Steven S., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Steven S., Appellant Petition for review DENIED. |
| 4th Dist. G018791 Div. 3 S077326 | Fine Phudge, Inc., Appellant v. Raymond Weiss et al., Respondents Appellant's petition for review DENIED. |
| 4th Dist. G020514 Div. 3 S077283 | People, Respondent v. Harvey Guss Branom, Appellant Appellant's petition for review DENIED. Mosk, J., is of the opinion the petition should be granted. |
| 4th Dist. G021909 Div. 3 S077284 | People, Respondent v. Kim Morgan Harper, Appellant Appellant's petition for review DENIED. |
| 4th Dist. G022107 Div. 3 S077359 | People, Respondent v. Ronald Dwayne Perkins, Appellant Appellant's petition for review DENIED. |
| 4th Dist. G022488 Div. 3 S076261 | People, Respondent v. Joyce Marie Demyers, Appellant Appellant's petition for review DENIED. |
| 4th Dist. G023710 Div. 3 S077450 | Bruce Senator, Appellant v. Bridgestone Firestone, Respondent Appellant's petition for review DENIED. |

- 4th Dist. People, Petitioner
G023889 v.
Div. 3 Orange County Superior Court, Respondent
S077194 Robert Donelson, Real Party in Interest
Real Party in Interest's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.
The Reporter of Decisions is directed not to publish in the
Official Appellate Reports the opinion in the above-entitled appeal,
filed January 29, 1999, which appears at 69 Cal.App.4th 734. (Cal.
Const., art. VI, section 14; rule 976, Cal. Rules of Court.)
- 5th Dist. Central Green Company, Appellant
F027118 v.
S077529 The Ponderosa Telephone Company, Respondent
Appellant's petition for review DENIED.
- 5th Dist. People, Respondent
F027829 v.
S077463 Steven Lee Hawkins, Appellant
Appellant's petition for review DENIED.
- 5th Dist. People, Respondent
F028340 v.
S077363 Alfonso Uribe, Appellant
Appellant's petition for review DENIED.
- 5th Dist. People, Respondent
F028354 v.
S077305 Robert Frank Vytlačil, Appellant
Appellant's petition for review DENIED.
- 5th Dist. People, Respondent
F028376 v.
S077328 Jose Luis Lucatero, Appellant
Appellant's petition for review DENIED.
- 5th Dist. People, Respondent
F028864 v.
S077342 Ernesto Salinas et al., Appellants
Appellants' petition for review DENIED.

5th Dist. People, Respondent
F029134 v.
S077341 Richard Edward Richardson, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029238 v.
S076974 Robin Curtis Davis, Appellant
Appellant's petition for review DENIED.
Kennard, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent
F029253 v.
S077500 Jerome Lee Cross, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Appellant
F029333 v.
S077260 Kevin Leroy Ward, Respondent
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029381 v.
S077277 Norberto Ortiz Hernandez, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029477 v.
S077287 Brian Allen Eversole, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F029810 v.
S076975 Alfonso Arreguin, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F030330 v.
S077347 William Carl Stewart, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F030396 v.
S077258 Sharon Marie Dale, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F030425 v.
S076814 Quentin D. Williams, Appellant
Appellant's petition for review DENIED.

5th Dist. People, Respondent
F030689 v.
S077227 Solis M. Gutierrez, Appellant
Appellant's petition for review DENIED.

5th Dist. In re Juan F., a Person Coming Under the Juvenile Court Law
F031221 -----
S077280 Kings County Human Services Agency, Respondent
v.
Tony F., Appellant
Appellant's petition for review DENIED.

5th Dist. In re James Thomas Christie
F032456 on
S076332 Habeas Corpus
Petition for review DENIED.

6th Dist. People, Respondent
H016437 v.
S076707 Andrew Allen Pierce et al., Appellants
Appellant's petition for review DENIED.
Mosk, J., is of the opinion the petition should be granted.

6th Dist. Edward S. Pagter et al., Respondents
H017971 v.
S077393 First Alliance Mortgage et al., Appellants
Appellants' petition for review DENIED.

6th Dist. In re Viridiana L., a Person Coming Under the Juvenile Court Law
H018880 -----
S077422 Dept. of Family and Children Services, Respondent
v.
Nicia C., Appellant
Appellant's petition for review DENIED.

1st Dist. Homeowners Association of Seaview Community
A079962 v.
Div. 1 The Housing Group et al., Respondents
S077010 Design Professionals Insurance Company, Appellant
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

2nd Dist. Soheil Sedaghat, Appellant
B115621 v.
Div. 5 County of Los Angeles, Respondent
S077378 The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

3rd Dist. Theresa Reeves, Appellant
C027914 v.
S076954 Pacific Gas and Electric Company, Respondent
The request for an order directing publication of the opinion in
the above entitled cause is DENIED.

S073975 Preferred Risk Mutual Insurance Company, Appellant
v.
Reo Reiswig et al., Respondents
The application of Randal B. Hamud for permission to file an
amicus curiae brief is hereby granted.
An answer thereto may be served and filed by any party within
twenty days of the filing of the brief.

S031423 People, Respondent
v.
Gregory Allen Sturm, Appellant
Good cause appearing, the application of appointed lead and
associate counsel for permission to withdraw as attorneys of

record for appellant Gregory Allen Sturm, filed February 17, 1999, is granted.

The order appointing Richard Wasserstrom and Leon Letwin as lead and associate counsel of record, respectively, for appellant Gregory Allen Sturm, filed January 7, 1997, is hereby vacated.

The State Public Defender is hereby appointed to represent appellant Gregory Allen Sturm for the direct appeal in the above automatic appeal now pending in this court.

The Habeas Corpus Resource Center is hereby appointed to represent Gregory Allen Sturm for habeas corpus/executive clemency proceedings related to the automatic appeal.

Richard Wasserstrom and Leon Letwin are directed to deliver to the State Public Defender and the Habeas Corpus Resource Center, respectively, within 30 days from the filing of this order, their separate copies of the record on appeal in *People v. Sturm* and all transcripts notes, habeas corpus “issues” lists and all other appellate and habeas corpus investigation work product. Appointed counsel also shall deliver to the Habeas Corpus Resource Center all case files, reports and related materials that they have obtained from appellant’s trial counsel, paralegals, experts and investigators.

S071483 People, Respondent

v.

Joe Moreno Aguayo, Appellant

Upon request of appellant for appointment of counsel, Michael M. Doctoroff is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant’s brief on the merits shall be served and filed on or before thirty (30) days from the date of this court.

S075450 People, Respondent

v.

Santiago Baltazar, Appellant

Upon request of appellant for appointment of counsel, Tracy Dressner is hereby appointed to represent appellant on his appeal now pending in this court.

Appellant’s brief on the merits shall be served and filed on or before thirty (30) days from the date of this order.

S075588 People, Respondent

v.

Joel Arturo Fuentes, Sr., Appellant

Upon request of appellant for appointment of counsel, James Bostwick, Jr. is hereby appointed to represent appellant on his appeal now pending in this court.

S076367 In re **Scott Douglas Raphael** on Discipline
In the Matter of the Resignation of
A Member of the State Bar of California

The resignation of **Scott Douglas Raphael** having been accepted in S077752 this proceeding is dismissed without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement.

S077752 In the Matter of the Resignation of **Scott Douglas Raphael**
A Member of the State Bar of California

The voluntary resignation of **Scott Douglas Raphael** as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against him should he hereafter seek reinstatement. It is ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Business & Professions Code, § 6126, subd. (c).)

**SUPREME COURT CALENDAR
SAN FRANCISCO SESSION
JUNE 1 and 2, 1999**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom at 350 McAllister Street, Fourth Floor, San Francisco, California, on June 1 and 2, 1999.

TUESDAY, JUNE 1, 1999 – 9:00 A.M.

| | |
|---------|--|
| S074850 | Hotel Employees & Restaurant Employees International Union v. Gray Davis; Lawrence |
| | S074851 – Cortez v. Gray Davis (<i>Consolidated with S074850</i>) |
| | (<i>Baxter, J., not participating.</i>) |
| S062379 | People v. Birkett |
| S068325 | Erlich v. Menezes |

1:30 P.M.

| | |
|---------|--|
| S053930 | County of Los Angeles v. Superior Court, County of Los Angeles; Schonert |
| S068741 | People v. Woods |
| S072534 | Belton v. Bowers Ambulance Service |

WEDNESDAY, JUNE 2, 1999 – 9:00 A.M.

| | |
|---------|---|
| S060702 | Warden v. The State Bar of California |
| S072560 | People v. Newman |
| S066747 | Associated Builders and Contractors v. San Francisco Airports Commission; San Mateo County Building and Construction Trades |

1:30 P.M.

| | |
|---------|---|
| S073129 | Horwich v. Superior Court, County of Los Angeles; Acuna |
| S069793 | People v. Williams |
| S070296 | Lamden v. La Jolla Shores Clubdominium Homeowner Assn. |

GEORGE
Chief Justice

If exhibits are to be transmitted to this Court, counsel must comply with Rule 10(d), California Rules of Court.